

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

LIFEWATCH SERVICES INC.,

*Plaintiff,*

v.

BRAEMAR, INC. and  
ECARDIO DIAGNOSTICS, LLC,

*Defendants.*

Civil Action No. 09-CV-6001

Honorable William J. Hibbler

**NOTICE OF LIFEWATCH'S MOTION FOR  
LEAVE TO FILE A SUR-REPLY BRIEF IN CONNECTION  
WITH DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

TO: All Counsel of Record

PLEASE TAKE NOTICE that on Tuesday, August 31, 2010 at 9:30 A.M. or as soon thereafter as counsel may be heard, counsel for the parties, Plaintiff LifeWatch Services Inc. and Defendants Braemar, Inc. and eCardio Diagnostics shall appear before the Honorable Judge Hibbler, or any other judge sitting in his stead, in the United States District Court for the Northern District of Illinois, located at The Dirksen Federal Building, Room 1225, 219 South Dearborn Street, Chicago, Illinois 60604 and shall then present **LIFEWATCH'S MOTION FOR LEAVE TO FILE A SUR-REPLY BRIEF IN CONNECTION WITH DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT.**

Dated: August 20, 2010

/s/ Jeremy P. Oczek

Steven M. Bauer (admitted *pro hac vice*)  
Jeremy P. Oczek (admitted *pro hac vice*)  
Benjamin M. Stern (admitted *pro hac vice*)  
Melissa A. Siegelman (admitted *pro hac vice*)  
PROSKAUER ROSE LLP  
One International Place  
Boston, MA 02110  
Telephone: (617) 526-9600  
Facsimile: (617) 526-9899  
sbauer@proskauer.com  
joczek@proskauer.com  
bstern@proskauer.com  
msiegelman@proskauer.com

Steven R. Gilford (IL Bar No. 3121730)  
Catherine J. Spector (IL Bar No. 6287459)  
PROSKAUER ROSE LLP  
Three First National Plaza  
70 West Madison, Suite 3800  
Chicago, IL 60602-4342  
Telephone: (312) 962-3550  
Facsimile: (312) 962-3551  
sgilford@proskauer.com  
cspector@proskauer.com

*ATTORNEYS FOR PLAINTIFF  
LIFEWATCH SERVICES INC.*

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing document via the Court's CM/ECF system on this 20th day of August, 2010.

/s/ Jeremy P. Oczek

Jeremy P. Oczek